IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 23607 of 2005

Between:

Mudundi Venkata Ganesh Raju

..... PETITIONER

AND

The Station House Officer,

Kalla Police Station, Kalla ,

W.G.District and another

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the 1st respondent in interfering with the civil disputes between the petitioner and the

2nd respondent, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

It is stated that there are certain civil disputes in between the petitioner and his father who is the 2nd respondent herein with regard to the property mentioned in the writ petition. It is further stated that without there being any report either from the 2nd respondent or from any other person, the 1st respondent is unnecessarily interfering with the petitioner's peaceful possession and enjoyment over the property in question.

Unless there is a complaint filed against the petitioner, the police cannot interfere with the civil disputes existing between the petitioner and the 2nd respondent. If there is a complaint filed against the petitioner, it is always open to the 1st respondent to register the same and investigate into the matter. But without registering any crime against the petitioner, the 1st respondent cannot interfere with the right and liberty of the petitioner, more so, in civil disputes.

Having regard to the facts and circumstances of the case, the

1st respondent is directed not to interfere with the civil disputes existing in between the petitioner and the 2nd respondent. This order does not preclude the 1st respondent to register a crime and investigate into the matter, if there is any complaint filed against the petitioner.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 03.11.2005

Dsr

Note:

Issue CC in two days

B/o

Dsr